

REMARKS

Upon entry of this amendment, independent claim 1 with dependent claims 2-5 and 7-17 will be present in the application.

Claim 1 has been amended to include the limitations of claim 6 and claim 6 has been canceled. Claims 18-33 have been canceled.

Claims 1-11 and 13-17 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. 6,029,889 (Whalen, Jr. et al.) in view of U.S. 6,053,030 (Whynall et al.). Claim 12 was rejected under 35 U.S.C. § 103 as being unpatentable over Whalen in view of Whynall as applied to claim 1 above and further in view of U.S. 5,633,742 (Shipley).

Claim 6 is rejected as being unpatentable over Whalen in view of Whynall. However, close examination of both documents reveals that neither document discloses "a data touch sensor having user information on a unique group of users stored in the memory", as recited in claim 6.

As taught in the Whalen reference, "Identification card 3 is a bar-coded tag issued to each firefighter" (Col. 4, lines 31-32). "In operation, the Accountability Officer will set up a command post at the fire scene and scan 2 the tags of each firefighter as they enter the scene." (Col. 5, lines 49-51). Further, "as the firefighter enters the "hot zone" at a fire scene, the Accountability Officer points bar code reader 21, integral to terminal 20, in the direction of his tag 15 causing his tag 15 to be automatically scanned by bar code reader 21." (Col. 6, lines 15-19) In other words, Whalen discloses that the fire personnel are logged in individually as they arrive at the scene of the fire. Nowhere in the Whalen reference does it teach or suggest that any one of the ID tags disclosed therein should contain user information on "a unique group of users".

As taught in the Whynall reference, "[i]nformation button 20 ... includes a computer memory medium storing text strings pertaining to an individual ... or text strings pertaining to a location" (Col. 3, lines 55-59). "User ID 30 is programmed to store information pertaining to the individual issued the identification badge 32." (Col. 4, lines 6-8) "The portion of the memory of User ID 30 allocated to user identification, in accordance with the present invention, includes information unique to a specific individual." (Col. 4, lines 51-53) "In use an individual is issued an identification badge 32 including a User ID 30 (FIG. 3) that is unique and is preprogrammed to contain the above described user information specific to that individual." (Col. 5, lines 34-37) The Whynall reference clearly discloses that the information button will contain user information on only one individual. Nowhere in the Whynall reference does it teach or suggest that the information button disclosed therein should contain user information on "a unique group of users".

MPEP § 706.02(j) states "[t]o establish a *prima facie* case of obviousness, three basic criteria must be met. ... the prior art reference (or references when combined) must teach or suggest all the claim limitations." See also MPEP §§ 2142 and 2143. The Office Action does not cite any other reference as disclosing "at least one of the touch sensors is a data touch sensor having user information on a unique group of users stored in the memory". Therefore, such Office Action does not establish a *prima facie* case of obviousness with respect to claim 6. In addition, the Office Action provides no justification

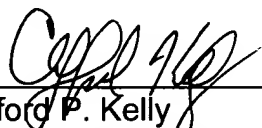
as to why it would be obvious to further modify the Whalen/Whynall combination to include such a data touch sensor

Claim 1 has been amended to include the limitations of claim 6 and therefore now recites that at least one of the touch sensors is a data touch sensor having user information on a unique group of users stored in the memory. Therefore, claim 1 cannot fairly be considered to be obvious in view of the Whalen reference, the Whynall reference or any combination thereof.

The various dependent claims add additional features to the independent claims, and are therefore believed to be allowable. Also, the dependent claims are believed patentably distinct on their own merits as being directed to combinations not suggested by the references.

In view of the above-directed amendments and the proceeding remarks, prompt and favorable reconsideration is respectfully requested.

Respectfully submitted,
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